

# CHURCH AND STATE NEWSLETTER

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PROTESTANTS AND OTHER AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE

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## POAU CHAPTER FORMED IN WASHINGTON, D. C.

Possible government favoritism towards members of certain religious orders in regard to income tax exemptions, and censorship policies of the public libraries in the District of Columbia, were among subjects scheduled for early consideration by POAU members residing in the greater Washington area as they met recently at national headquarters to formally establish a local District of Columbia chapter.

After hearing talks by Executive Director Glenn L. Archer and Organization Director John C. Mayne, the nearly 100 persons who attended voted to form the chapter, and a temporary steering committee was elected. It was also decided that various special committees to deal with specific problems should be set up. Prior to adoption of a name for the chapter, it was suggested that the unit should be informally designated as the "national capital area chapter" of POAU, and this was approved by the steering committee.

### Atmosphere Electric

Meeting, by coincidence, at a time when a special subcommittee of the Senate Committee on Labor and Public Welfare was deliberating on proposals for a code of ethics for government officials, the national capital area POAU'ers themselves raised many questions which showed their deep concern over the tendency of some public officials to act unethically on behalf of sectarian interests rather than for the public good.

The question of library censorship was raised by Stanley Lichtenstein, of POAU's staff, who revealed that the information desk of the Central Public Library had stated, in response to a telephone inquiry, that Paul Blanshard's new book, *Communism, Democracy and Catholic Power*, had been "rejected" for use by any of the public libraries in the District of Columbia. Further in-

## Philippines Nuncio Ranked Above U. S. Ambassador

The American ambassador at Manila has been "bumped" from his position as dean of the Philippine diplomatic corps to make way for Archbishop Egidio Vagnozzi, newly-appointed papal nuncio to the Philippines. The change was made by agreement with the U. S. Embassy, which deferred to the Vatican's wishes in the matter. As a general rule, the Holy See insists on this distinction for its representatives in most capitals with which it maintains relations.

Relations between the Philippine government and the Pope were recently established over the protests of Protestant leaders on the island.

quary revealed that decisions on the acquisition of "controversial" new books are made by the department headed by Miss Clare Ruppert, Coordinator of Service to Adults for the public libraries. Miss Ruppert later denied that the book had been "rejected," but said that it was still under consideration and that no decision would be made until it could be read by the "entire professional staff." She promised a full written statement on what criteria are used for library selection of "controversial" books, but none has been received as we go to press.

## Seek Legislature's Nod For U. S. - Vatican Link

A resolution recently introduced into the New York State legislature by Assemblyman Giaccio would place the legislators on record in favor of "immediate action" by the President and Congress of the United States "to continue sending a diplomatic envoy to the Vatican. . . ."

This is but one of many new moves in the never-ending pressure campaign for a resumption of the illicit alliance between the American government and the absolute ruler of the Roman Catholic Church. Unless responsible citizens maintain a solid and unwavering opposition to the proposal, the U. S. Constitution is in danger of being reduced to a mere scrap of paper which will have interest only to historians studying the principles according to which the United States *used* to be governed.

*Help turn back the assailants of our free institutions!  
Write to POAU today!*

Thousands of POAU's recent circulars showing Myron Taylor kneeling before the Pope, and reproducing news dispatches concerning his recent visit to the Vatican have been requested from national headquarters and are being distributed widely among church and other groups. The great demand testifies to its effectiveness. Quantities may be obtained free of charge from POAU, and single copies will be mailed individually to friends' names sent in by readers. The supply is limited.

# 'Lip Service' to Freedom Not Enough, Dawson Warns

The American principle of separation of church and state cannot be subjected to any watering-down process without impairing religious liberty itself, Dr. J. M. Dawson, executive director of the Baptist Joint Committee on Public Affairs and recording secretary of POAU, declared at the recent meeting of the American Baptist Convention in Buffalo, N. Y.

Pointing to the frequently successful efforts of Roman Catholic churchmen to obtain public tax funds for their sectarian institutions, Dr. Dawson observed that these treasury raids have been made under cover of an "erroneous" constitutional interpretation which holds that the authors of the First Amendment "never intended to do anything but forbid the establishment of a single official church" and that they left the government "free to aid any and all churches as it may see fit."

## Questionable Motives

"Unfortunately," he continued, "a few Protestants side with the Roman Catholics in an effort to uphold this theory. Either from self-interest or from hangovers from church-state union of other days or in other countries, a handful of Protestants in America are lending aid and comfort to the Catholic contention. These few Protestants may render lip service to church-state separation, but they only believe in separation of church and state now and then, here and there.

"I say that this is unfortunate because there is in this erroneous interpretation of the Constitution a dire threat to religious liberty in America. If adopted, it would spell the death of free churches in this country. It would mean huge government subsidies to sectarian institutions for which the politically minded Roman hierarchy is today powerfully pressing. With these government subsidies supplementing private resources, the Romanist interests seek to overwhelm the free churches."

A similar concern over threats to religious liberty was shown by speakers at the Southern Baptist Convention in San Francisco. Dr. W. R. White of Baylor University told 8,000 delegates from 22 states that church-state entanglements "bring in a measure of force," and kill the spirit of true religion. Calling on Baptist institutions to refrain from accepting public funds "even in fringe matters," Dr. Walter Pope Binns called church-state separation America's "most important contribution."

## Baptist Leader



Joseph M. Dawson

## Irish Leader Elected In Spite of Hierarchy

Dr. Noel Browne, the former Health Minister who reduced Ireland's infant mortality rate from 83 per 1,000 (the highest in Europe) to 53 per 1,000, was triumphantly re-elected to the Dail in the recent Irish elections, notwithstanding the emphatic opposition of the Roman Catholic hierarchy.

Dr. Browne had aroused the hierarchy's hostility by seeking to reduce infant mortality still further through a mother-and-child care program which would have included obstetrical and gynecological care for all needy persons without a "means test." Although the program was to have been administered by Catholic doctors and officials according to "Catholic principles," the Archbishop of Dublin insisted that the hierarchy must have direct supervision over any program "so delicate and concerned with morals as that of gynecology and obstetrics." The Archbishop also objected to a system which would make a special point of catering to the needs of the poor, whom he contemptuously referred to as "a necessitous or negligent 10 per cent" of the population.

The election resulted in Dr. Browne's vindication.

## MRS. ROOSEVELT WOULD GUARD PARENTS' RIGHT

International recognition of "the liberty of parents to choose for their children schools other than those established by the state so long as these conform to minimum standards laid down by the state," was called for by Mrs. Eleanor Roosevelt at the seventh session of the Commission for Human Rights meeting recently in Geneva, Switzerland. Her proposal was submitted for possible incorporation into the draft International Covenant of Human Rights.

Mrs. Roosevelt was violently attacked two years ago by Francis Cardinal Spellman for advocating the principle of public funds for public schools only, a principle she holds to be in perfect harmony with religious freedom.

## Many Churches Give POAU Strong Support

An increasing number of church congregations and denominational groups are sending contributions to National POAU.

Recently church gifts were sent by congregations in Raleigh, N. C., Helena, Mont., and Merchantville, N. J. Several Washington, D. C., churches, noting at first hand the religious liberty efforts of POAU, have made substantial contributions. A West Sayville, N. Y., group mailed in a check, and a denominational group in Boston, Mass., gave a strong boost to the financial program. Churches in Richmond and Arlington, Virginia; Houston, Tex.; and Brattleboro, Vt., have likewise voted contributions.

Encouraged by the warm response from persons of many faiths, POAU will continue to work for the religious liberty of all Americans.

## Church and State Newsletter

Compiled and Circulated by  
Protestants and Other Americans United for  
Separation of Church and State  
1633 Mass. Ave., N. W., Washington 6, D. C.

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## ABANDON 'RELIGIOUS' BACCALAUREATE ON ORDER OF NEW YORK COMMISSIONER

A baccalaureate service planned by the school board of Somers, N. Y., for graduating students of the Central School was abandoned this year after State Education Commissioner Lewis A. Wilson upheld the complaint of a Catholic priest that the original program contained "elements of a certain type of non-Catholic religious service." In announcing his ruling, Commissioner Wilson quoted the United States Supreme Court's decision (Everson Case, 1947) that "neither a state nor the Federal Government can set up a church . . . pass laws which aid one religion, aid all religions, or prefer one religion over another."

Msgr. Edward V. Dargin, pastor of St. Joseph's Roman Catholic Church in nearby Croton Falls, had reiterated objections which he had made last year to the type of baccalaureate held in the Somers public high school auditorium, saying that the service was "contrary to the religious teachings and tenets of the Catholic members of the graduating class." For this reason, he had declined an invitation to participate in the service himself. Commissioner Wilson, in sustaining Msgr. Dargin's position, observed that the "religious character" of the service would not be changed by the "fact that more than one religious denomination were represented on the program." Ironically, national Roman Catholic leaders have emphatically rejected this reasoning as it was used by the United States Supreme Court in the McCollum released time case (Illinois, 1948). Their general position is that the First Amendment prohibits only the establishment of a single religion and does not prohibit "impartial" government aid to "all" religions.

### Board Complies

As a result of the ruling, the character of the graduation ceremonies was changed to that of a "pre-commencement exercise," with classical and patriotic songs substituted for the hymns which had previously been listed. Msgr. Dargin himself gave the invocation, and Rabbi Solomon Kahn Kaplan of Chappaqua, N. Y., the benediction. The principal address, entitled "Courage," was delivered as originally scheduled by the Rev. Joseph Germek of the Protestant Episcopal Chapel of the Good Shepherd, Granite Springs. The changes in the program were made unwillingly by some of the board members—who are considering an appeal against the ruling—but

Thomas H. Casson, the only Roman Catholic on the board, said that he believed the ruling supported the principle of separation of church and state.

Even before Commissioner Wilson's ruling, however, school board officials at Niagara Falls, N. Y., moved to transfer the customary baccalaureate services from the public school buildings to the local churches. The change was made upon recommendation of the Religious Fellowship, an association of Protestant and Jewish clergymen.

*"Thayer's The Attack upon the American Secular School boldly adopts the word 'secular' to describe the public schools as they have been and ought to be. It is an undeservedly unpopular word. In some circles the indiscriminate damning of everything that can be called secular is a mark of piety. Some things ought to be secular, and some ought not. Secu-*

## WISCONSIN SCHOOLS MERGER CHALLENGED

Charging impairment of their religious rights, three parents have filed suit in Pepin County Circuit Court contesting the merger of a public and a parochial school in Wisconsin's Averill and Lima school districts. The parents, Mr. and Mrs. William G. Fox and Mrs. Gladys Ryan Hubbard, are acting with the support of Dr. Ellis H. Dana, executive secretary of the Wisconsin Council of Churches and a POAU leader, and other Protestant spokesmen in the state.

Since the merger, non-Catholic parents who refuse to have their children taught Catholic doctrine have been forced to send them to far-off public schools, paying transportation costs out of their own pockets. (*Church and State Newsletter*, April, 1951.) It is expected that, regardless of the circuit judge's decision, the losing party will appeal the case to the state supreme court.

*larity is not atheism or irreligion. The government is and ought to be secular. . . ." W. E. Garrison in The Christian Century. (The Thayer book, published by Beacon Press, \$3.00, may be ordered from POAU.)*

## Canadian Catholics Mobilized For State School Aid Drive

Free busses, free books, free health services and freedom from taxation for all church school properties are the announced goals in a nation-wide campaign organized by Roman Catholic groups throughout Canada. The campaign has been organized in order to strengthen the hand of their co-religionists in British Columbia in a dispute with the public school authorities of the province. "Strike" tactics adopted by two parochial schools in Coquitlam, near Vancouver, B. C., have so far proved ineffective. (Both schools were closed suddenly in an effort to embarrass the public school system with a sudden influx of new pupils to be added to the attendance rolls, but the move was taken by the public authorities in their stride.)

Organizations participating in fund-raising and joint prayers for the success of the new campaign include the General Federation of the Leagues of the Sacred Heart, the Knights of Columbus, the Catholic Women's League, and others.—(RNS).

### Buddhists Demand Ceylon Gov't Aid

State assistance for the revival of Buddhism in Ceylon, and the setting up of a government department to help in protecting and maintaining Buddhism, were demanded recently by the Sinhala Maha Sabha at its annual meeting. The Sabha is an association of Sinhalese, whose president is Dr. S. W. R. D. Bandaranaike, minister of health and local government, and leader of the House of Representatives. He presided at the meeting. (RNS)

# Sects Should Leave Campus Minnesota Plaintiff Avers

An open alliance between authorities of the University of Minnesota, a state institution, and leaders of "more than 20 religious foundations actively operating on the campus" has been challenged by Minneapolis attorney William L. Sholes in a court action which will force a review of the entire situation at the university.

Sholes, an alumnus of the school and father of a student now attending it, has obtained a writ from Hennepin County District Court which requires the regents of the university either "to adopt and enforce rules and regulations prohibiting all use of University of Minnesota property and facilities for the teaching and disseminating of any and all sectarian religious doctrine," or to show cause why the religious activities should be allowed to continue. Sholes noted that before 1900 students participated in off-campus, and not on-campus, religious activities, but that today the university aids the sectarian groups even to the extent of handing each entering student "a religious census card to be filled out by the student and sent to the designated religious organization." Not only has a Coordinator of Student Religious Activities been appointed by the university, but the university expends property, money, facilities and personnel in aid of the religious groups, Sholes charged.

## "Sinister Leadership"

The plaintiff declares that his suit manifests no hostility to religion, but is aimed at "a sinister leadership . . . on the University of Minnesota campus which disbelieves in the established constitutional principle of separation of church and state," and which, if it continues, "can threaten the existence of the university itself, the state that created it and with it democratic government and the cherished right of every citizen to the freedom of religious worship."

Sholes said that he had declined to act as attorney for Frank C. Hughes, another University of Minnesota alumnus, when the latter approached him last winter with a plan for instituting a suit, because Hughes is "anti-religious." His own purpose, he said, is to "raise purely a constitutional issue and not an anti-religious issue."

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## Religion in the Schools

"Religion is certainly taught in the schools. Every major university in the country has courses on comparative religion. But, of course, the teaching of a particular religious dogma has no place in the public schools. Religious beliefs are absolutes; there can be no elementary religious instruction in schools, other than instruction in morals, which are the common property of all religions and cannot, therefore, rightfully be called religion. If any person or group is unwilling to accept the exclusion of any particular religious dogma from the public schools, then he is not deserving of the general protection and rights guaranteed by our constitutional system."—Letter from John Peters published in "Washington Evening Star."

*The Church and State Newsletter will not be published in August. The next issue will be dated September, 1951.*

# Councilman Favors Tax Exemption Curb

A limit of "perhaps \$500,000" should be placed on the amount of tax exemption granted to churches and synagogues, New York City Councilman Stanley M. Isaacs urged recently at a luncheon meeting of the Citizens' Budget Commission.

"If someone like me chooses to worship at a magnificent temple on Fifth Avenue, instead of a more modest one in another part of the city," Isaacs said, "he should pay for the privilege."

Asked whether he planned to introduce his proposal in the City Council, the Councilman replied that he did not "because it wouldn't have a ghost of a chance." He is a Republican-Liberal member of the Council.—(RNS)

A very timely and enlightening volume on *Moral and Spiritual Values in the Public Schools* was recently published by the Educational Policies Commission of the National Education Association, 1201 Sixteenth Street, N. W., Washington 6, D. C. The price is \$1.00.

## PHILADELPHIA RALLY



POAU's first public meeting in Philadelphia (above) filled the Allegheny Avenue Baptist Church to capacity, and the warmth of the audience's response gave heartening indication that the cause of religious liberty is very much alive in the City of Brotherly Love. Many similar meetings are now being scheduled as an integral part of "Religious Liberty Week," to commence, under POAU sponsorship, on Sunday, October 28. Many interested clergymen have already contacted the Rev. John C. Mayne, POAU director of organization, for assistance in working out details of the program and securing prominent speakers. To engage one of POAU's nationally-known speakers (see list in "Church and State Newsletter," June, 1951, p. 4), write to the Organization Director at national headquarters. This should be done early, as heavy demands are being made for the speakers' services.

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# Greenbelt Residents Thwart Effort to Ban Italian Film

Temperatures ran high in the little town of Greenbelt, Md. (population 7,000), recently when the Greenbelt Theater—the only motion picture house in town—announced a last-minute cancellation of a scheduled showing of the Italian motion picture, "Bitter Rice," because of a protest against the film by Philip P. McGonagle, leader of the Catholic Action Group of St. Hugh's Church. Municipal officials, it was reported, had advised theater manager Jack Fruchtman to "avoid a public controversy" by cancelling the film. But the cancellation had the opposite effect—it precipitated a public controversy, and peace was not restored until the decision was reversed and the picture re-scheduled for showing a week later.

Also involved in the dispute was Samuel Ashelman, manager of Greenbelt Consumer Services, Inc., which operates the theater. Consulted by Fruchtman when the question first arose, Ashelman declared: "Our theater is cooperatively owned, and if a large number of people disapprove of a picture, we are happy to cooperate in withdrawing it." McGonagle's objection to the showing of the film was based on the fact that the Legion of Decency had "condemned" the picture on grounds of immorality, and was buttressed by the assertion that most citizens would not wish to see such a picture.

## Sharp Reaction

However, "a large number" of Greenbelt residents soon made it clear that, like other American theatergoers, they prefer to cast their ballot at the box office, rather than allow McGonagle, the Legion of Decency, or any other private individual or organization to act as their proxy. When the *Church and State Newsletter* sought to reach Fruchtman, Ashelman, and others concerned, it found that their phones had been tied up all day with calls from angry residents, and that delegations of protesting housewives had descended on them in person. As the day wore on, it became increasingly clear that a local ban on the film—which had been passed by the Maryland Board of Censors—would be considered an infringement on the personal rights of numerous citizens.

(Not long before the Greenbelt incident, *Our Sunday Visitor*, the Catholic weekly, had boasted of Catholic pressure tactics which succeeded in having "Bitter Rice" withdrawn from nine out of eleven Chi-

cago theaters. This, said the *Visitor*, indicated that the picture was "headed for a dismal flop" in this country. In saying this, however, the diocesan paper was misusing theater parlance—a "flop" is a production which fails at the box office, not one which is banned. For over ten months, "Bitter Rice" has been running successfully wherever it has been allowed to be shown.)

## SPANISH YOUTHS IGNORE CHURCH MOVIE CENSORS

A recent survey conducted by Spanish Catholic Action among 1,700 adolescents of various home backgrounds has revealed that church condemnation of "improper" films is ignored by more than half of them. *Ecclesia*, official organ of the militant body, expressed its sadness at learning "how ineffective is the work of religious and other groups in our country, especially that of Catholic Action, in regard to the religious censorship of films."—(RNS)

"Editor: Your comment about freedom of the press in Spain was very interesting. Since Franco conquered Madrid in 1939, *El Debate* has been closed down, exactly as it was during the three years of what you call the 'Communist tyranny in the civil war.'

"I, too, hope that freedom of the press becomes as general in Spain as it is in the United States. Since 1936-37, when Franco conquered our Basque country, he has confiscated our *Euzkadi*, *La Tarde* and *Excelsius* of *Bilboa*, *El Dia* of *San Sebastian*, and *La Vox* of *Navarra* of *Pamplona*—to mention only Basque Catholic dailies and not cultural magazines, some of them published by religious communities. Besides these he has closed down hundreds of other publications."—Letter from Jesus De Galindez, Basque delegate in the U. S., to *America*, the Jesuit weekly.

## NEW MEXICO HIGH COURT HEARS DIXON APPEAL

A battery of attorneys, headed by John A. Danaher, former U. S. Senator from Connecticut, presented arguments recently before the New Mexico State Supreme Court that no further action is needed to free public schools in the state from Roman Catholic sectarian influences. The plaintiffs in the Dixon Case of 1949 have appealed for new remedies to implement Judge Hensley's original decision, which, they claim, continues to be ignored in practice.

Danaher told the court that to bar all garbed teaching nuns from public school posts would amount to condemning them to "an Alcatraz," and that to "deny them the right to wear the garb of a religious order would be to discriminate in favor of all other religious instructors."

Harry L. Bigbee, attorney for the plaintiffs, summarized the case from its inception in 1947, and contended that neither Judge Hensley's ruling nor various edicts from Roman Catholic Archbishop Edwin V. Byrne have resulted in anything more than token compliance on the part of the offending teaching nuns. He added that the very nature of their vows made infractions of the law inevitable.

The court took the case under advisement.

## Priests Get Pay Raise From Communist Rulers

The Communist government of Hungary has raised the minimum salary of Roman Catholic priests from \$13 to \$50 a month, according to a recent United Press dispatch. The raise was granted under a church-state agreement of last year, wherein it was affirmed that the state "attaches special importance to guaranteeing a proper minimum living standard for priests."

Although the Roman Catholic Church has been in frequent conflict with the Communist government, it has never questioned the system of church-state union under which the state acknowledges a responsibility to contribute to the financial support of clergymen.

Get ready for *Religious Liberty Week*, Oct. 28-Nov. 3. Write to POAU.

# Rabbis Ask Full Observance Of Separation Principle

Efforts of religious groups to exploit the public schools for their own interests are endangering American guarantees of religious freedom, a report adopted recently by the Central Conference of American Rabbis, meeting at Groton, Conn., declared. More than 600 Reform rabbis are represented in the Conference.

Observing that the principle of separation of church and state is being "questioned, challenged and undermined in many quarters," the report opposed public school Bible reading, religious holiday observances, released time classes for religious instruction, and federal aid to parochial schools in any form. Unless such practices are stopped, it warned, "we will be the pathetic witnesses of the eventual complete destruction" of the principle of church-state separation.

The report was prepared by the Conference's Committee on Church and State, headed by Rabbi Jacob Shankman of New Rochelle, N. Y. Rabbi Philip S. Bernstein, Conference president and author of the recently published book, *What the Jews Believe*, also dealt with the problem of church-state relations in his address to the delegates. "Although parochial schools are authorized by law," he said, "and serve certain established purposes of some religious groups, the public school, free of sectarian influences, remains the foundation of American democracy."

## Msgr. Middleton Replies

Issuance of the report was immediately attacked by Msgr. John S. Middleton, Cardinal Spellman's secretary for education, who referred to the "now celebrated Oregon school case," which, he said, denied "complete control of education by the state." He went on to defend public school Bible reading as constitutional, ignoring the fact that many of the plaintiffs in cases brought against the practice have been Roman Catholics. Msgr. Middleton also argued for public school Christian holiday observances on the ground that it is desired by "millions" and opposed by only "the few." Quite another view, however, was taken recently by Msgr. Edward V. Dargin when he successfully sought abandonment of religious baccalaureate exercises in New York public schools. (See story on page 3.)

*Has your public library secured Paul Blanshard's new book? Ask the librarian.*

## AMERICAN LEGION HITS 'SUNDAY LAWS' MUDDLE

Forced cancellation of a circus performance at Poughkeepsie, N. Y., (to have been held for the benefit of disabled soldiers) led recently to a controversy between the American Legion and the office of Governor Thomas E. Dewey over the state's Sunday "blue laws." The Legion, faced with the prospect of refunding money for some 15,000 tickets which had been sold for the Sunday event, sent a telegram to the Governor arguing that if state law prohibited the holding of a benefit circus on Sunday, it should also require the closing of Jones Beach, Rye Beach, golf clubs, theatres, fairs and all television performances on Sunday.

The state Sunday law, long on the books, was recently amended in order to allow Sunday sports events after 2 P.M. on Sundays if authorized by local ordinance. Both the city and township of Poughkeepsie had authorized Sunday movies, baseball and football games, but state troopers refused to grant the necessary "certificate of compliance" without which the circus could not proceed. Section 2152 of the Penal Law, they explained, forbids any circus performance on Sunday.

## Other Areas Affected

The same issue is affecting other parts of New York State, notably the Albany-Schenectady-Greene area, where agricultural societies have voted to request an opinion from the state attorney general on the legality of Sunday fairs. About 12 county fairs now operate in the upstate area, sponsors arguing that Sunday is the only day of the week on which many rural people could attend. Some religious leaders, however, insist on enforcement of the "blue laws." Similar controversies are arising in New Jersey, Pennsylvania, Kansas and other states. On the other hand, California, Oregon, Arizona, Wisconsin and Wyoming have repealed their Sun-

## Inquiry Needed?

An attack on "misuse of Government influence, betrayal of basic loyalties by statesmen, by scientists, by the universities and by ordinary citizens . . ." was made by the Very Rev. Laurence J. McGinley, president of Fordham University, at the Jesuit institution's recent commencement exercises in New York City. Father McGinley's statement had considerable justification. Would he, then, support an investigation of "misuse of government influence" by sectarian groups in our society? It is doubtful if the Roman Catholic Church would relish the disclosures which such an investigation would inevitably make.

## Puerto Ricans Ready Home Rule Charter

A special session of the Puerto Rican legislature has been called by Governor Luis Munoz Marin to arrange for the election on August 27 of delegates to a constitutional convention, following favorable action by the island's citizens in a referendum last month. Religious leaders have been working for some time on the drafting of proposed constitutional clauses to govern church-state relations (*Church and State Newsletter*, June, 1951).

day laws in recent years—leaving Sunday religious observances a purely voluntary exercise, as they should be.

In New York, a Joint Committee for a Fair Sabbath Law has been set up, with Leo Pfeffer acting as general counsel. In a recent letter to the *New York Times*, Pfeffer declared:

"The New York Sunday law is a mass of inconsistencies and self-contradiction. What reason can lie behind a law which permits the sale of bread, milk and eggs on Sunday, but not meat or fish? Why should it be legal (as it is) to sell gasoline, oil and tires, but not anti-freeze or tire-jacks? Beer may be sold on Sunday, but not butter. No law is violated by engaging in a professional hockey game, but polo and bicycle racing are prohibited. . . ." Pfeffer also pointed out that the "American Legion could not hold its circus for charitable purposes on Sunday, but a commercial circus is allowed to perform Sundays at Madison Square Garden unmolested."

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## CATHOLICS PROTEST STATE COLLEGE RITES

North Carolina College, a state institution, has been charged with illegal "interference with freedom of religious conscience" by Bishop Vincent S. Waters, of Raleigh, and other Roman Catholic officials who allege that the school conducts compulsory non-Catholic religious services. Dr. Alfonso Elder, president of the college, has replied that "students are excused on request if they say the service is contrary to their religious scruples."

Attorney Francis J. Heazel has been engaged by Bishop Waters to take the matter up with the state schools superintendent, and, if necessary, the attorney general, in the hope that voluntary action by the public authorities will make it unnecessary to bring a suit.

One of the Catholic spokesmen, in stating the principle on which he bases his complaint, seems to have unwittingly included a joker in it:



## BARDEN INTRODUCES NEW SCHOOL AID BILL

Still the champion of public funds for public purposes only, Rep. Graham A. Barden (D., N. C.) has introduced a new bill (H. R. 4468) for federal aid to public schools into the current session of Congress. The bill provides a total of \$314,500,000 to be used for salaries of public school personnel, laboratory and building maintenance, but not for transportation, textbooks, or other auxiliary services for either public or private schools. Rep. Barden is chairman of the House Education and Labor Committee.

"No student at a state institution should be required to listen to a clergyman of any other faith than his own." Does this imply that a student at a state institution may rightfully be required to listen to a clergyman of his own faith?

## PUERTO RICAN SCHOOLS WARNED ON VIOLATIONS

Action to eliminate religious exercises from Puerto Rican public schools was promised recently by Dr. Mariano Villaronga, minister of education, after alleged unconstitutional practices were brought to his attention. As a first move, he suspended the director of the Santurce evening high school for sponsoring a Roman Catholic memorial mass which took place as part of the school's commencement exercises.

Other complaints concerned the Utuado school district, where elementary, junior and high school commencements have been held on the premises of the local Catholic church, and Arecibo public schools, where authorities have allowed school participation in celebrations honoring the Catholic patron saint of the area. Dr. Villaronga cited prohibitions of such practices in the United States Constitution and the Puerto Rican Organic Law.—(RNS).

(Cut out and mail)

## GET THE FACTS!

The following literature can be obtained from Protestants and Other Americans United, 1633 Mass. Ave., N. W., Washington 6, D. C., at \$4.00 a hundred, 50¢ a dozen, 5¢ a single copy, except where otherwise noted.

*Church and State Newsletter* (A copy of each issue free to members.)

*POAU Manifesto*

*Answer to A Challenge*,\* EDWIN MCNEILL POTEAT

*The Vatican vs. The Public School*,\* PAUL BLANSHARD

*Bibliography on Church, State and Education*, HORACE MANN LEAGUE

*Freedom: Heritage or Victory?*, EDWIN MCNEILL POTEAT

*Keep Church and State Separate!*, CHARLES CLAYTON MORRISON

*Issue of the Day*, ARCHER VS. SPELLMAN

*Status of Religious Education in the Public Schools*

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## CATHOLIC LAYMAN EXCOMMUNICATED FOR BACKING NEW PUBLIC SCHOOL

Virtual civil war has been raging in the town of Pierz, Minn., for several months over the question of whether a new public or a parochial high school should be built to meet the predominantly Catholic community's educational needs. Among the latest incidents of the "war" have been the excommunication of Henry A. Gau, a leader of the "public school forces," and a rumored plot to dynamite the parish house. Another result of the dispute has been a boycott directed by "loyal" parishioners of the church against the *Pierz Journal*, causing a 30 per cent drop in the paper's advertising. Editor James Wemerskirchen favors the erection of a public school.

According to the Rt. Rev. Edward M. Mahowald, Gau was excommunicated because he "usurped the authority of the bishop in calling an election of parishioners" on the issue. Gau had announced that his "straw vote" showed 339 parishioners against the erection of a parochial school, and 20 for. However, Msgr. Mahowald contends that a majority of the 1,000 parishioners eligible to vote did not do so because he had warned them against it.

In a public statement, Gau declared: "I am not against Catholic education. I am opposed to the method being used to force us to place an obligation upon the Pierz parish—an obligation way beyond what I feel is reasonable to expect."

Msgr. Mahowald has countered with the argument that the services of unpaid teaching nuns would enable the church to operate a parochial school more cheaply. (RNS)

The Pierz School District has been receiving approximately \$18,000 a year in state aid, but Assistant Education Commissioner T. J. Berning recently announced that the aid would be discontinued because public school classes are so "intermingled"

## Form a Chapter!

Several pastors and laymen have indicated they are calling meetings of persons interested in religious liberty and freedom for the purpose of organizing a local POAU Chapter. (See June, 1951, Newsletter, page 5.)

## RELIGIOUS LIBERTY WEEK PLANNED



The meeting pictured above is typical of the gatherings which thousands of Protestants and other Americans will sponsor and attend this fall throughout the nation during what will be known as "Religious Liberty Week." The week will commence with Sunday, October 28, and will be climaxed by the 437th anniversary of Luther's proclamation of religious liberty on October 31, 1517. On this date Martin Luther posted his 95 theses on the door of the Castle Church at Wittenberg. Groups of churches, as well as single congregations, will celebrate Religious Liberty Week by holding mass meetings, presenting pageants, and inviting special speakers. Undenominational citizens' associations may desire to stage community celebrations in behalf of religious liberty for all groups, and present speakers before college, school, and civic groups. Suggestions for Religious Liberty Week may be secured from national POAU headquarters, 1633 Massachusetts Avenue, N.W., Washington 6, D. C.

### CHURCH AND STATE NEWSLETTER

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## Missouri Delays Bus Funds Action

A pending bill which would increase state aid for bus transportation of parochial school pupils has been stalled in the lower house of the Missouri legislature, which recently adjourned until September 11. At present, the state payment is \$3 per month per pupil; the bill would raise it to \$5. As originally introduced, the bill had no provision for parochial school bus transportation, but it was later amended under Catholic pressure.

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